#

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3698 OF 2006

Santosh Rampure .. Applicant

Versus

State of Maharashtra .. Respondent

Mr.Meghyasham Kocharekar for applicant

Ms.M.M.Deshmukh, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 10th October 2006

P.C.

. Applicant is arrested on 26th April 2006 in connection with C.R.No.41 of 2006 alleging offences of forgery and cheating etc.

2. Complainant Bank has, through its officer, lodged F.I.R. wherein the role of applicant is that he brought one person to the bank and introduced him as his father. The applicant is Santosh S. Rampure. The person who was brought to the bank and introduced as father is not Gangaram Darekar, who had expired long time back. It is on the basis that this Darekar has provided collateral security that the bank sanctioned loan. The company which was sanctioned loan is one M/s.Addon Novacoats Pvt.Ltd. The bank has pointed out that the present Applicant had an account with it and but for his introduction, the loan would not have been sanctioned.

3. If the F.I.R. is perused, the complainant bank seems to have sanctioned loan to this company and it insisted for collateral security. Both Directors have introduced one Gangaram L. Darekar as owner of property. Such

a person was not in existence and had expired in 1990.

4. Mr.Kochrekar points out the one Sanjay Chandurkar, Director of this Company which is real beneficiary of this transaction and co-accused in the present case has been granted bail by this Court. The company through its Director introduced this very person. Applicant's role is also introducing his father as Mr.Gajanan Darekar. The applicant is not recipient of the amount.

5. In such circumstances and when the charge sheet is filed, as far as present applicant is concerned, he deserves to be enlarged on bail. Hence, following order:-

i) The applicant arrested in connection with C.R.No.41 of 2006 registered with C.I.D., E.O.W. shall be enlarged in the sum of Rs.10,000/- with

one or two local sureties in the like amount.

ii) The bail is granted subject to condition that the applicant will remain present before the concerned investigating officer of GBCB, C.I.D., Unit - I, Mumbai once in a fortnight till conclusion of the trial.

iii) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the Investigating officer.

iv) The bail is granted subject to

condition that the applicant shall not directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

v) The applicant shall cooperate with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

vi) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vii) Application is disposed of in above terms.

viii) Parties to act on an authenticated copy of this order.

(S.C.DHARMADHIKARI, J)